

them out. We owe these individuals our thanks, and we owe them the authorities they need to do their jobs effectively.

We have no higher responsibility than stopping terrorist attacks. And this is no time for Congress to abandon practices that have a proven track record of keeping America safe.

Thank you for listening.

NOTE: The address was recorded at 7:50 a.m. on March 7 in the Cabinet Room at the White House for broadcast at 10:06 a.m. on March 8. The transcript was made available by the Office of the Press Secretary on March 7 but was embargoed for release until the broadcast. In his address, the President referred to Usama bin Laden, leader of the Al Qaida terrorist organization. The Office of the Press Secretary also released a Spanish language transcript of this address.

Message to the House of Representatives Returning Without Approval the “Intelligence Authorization Act for Fiscal Year 2008”

March 8, 2008

To the House of Representatives:

I am returning herewith without my approval H.R. 2082, the “Intelligence Authorization Act for Fiscal Year 2008.” The bill would impede the United States Government’s efforts to protect the American people effectively from terrorist attacks and other threats because it imposes several unnecessary and unacceptable burdens on our Intelligence Community.

Section 444 of the bill would impose additional Senate confirmation requirements on two national security positions—the Director of the National Security Agency and the Director of the National Reconnaissance Office. The National Commission on Terrorist Attacks Upon the United States (9/11 Commission) observed that the effectiveness of the Intelligence Community suffers due to delays in the confirmation process; section 444 would only aggravate those serious problems. Senior intelligence officials need to assume their duties and responsibilities as quickly as possible to address the pressing requirements of national security. Instead of

addressing the 9/11 Commission’s concern, the bill would subject two additional vital positions to a more protracted process of Senate confirmation. Apart from causing such potentially harmful delays, this unwarranted requirement for Senate confirmation would also risk injecting political pressure into these positions of technical expertise and public trust.

Section 413 would create a new Inspector General for the Intelligence Community. This new office is duplicative and unnecessary. Each intelligence community component already has an Inspector General, and the Inspector General of the Office of the Director of National Intelligence has been vested with all the legal powers of any inspector general to carry out investigations on matters under the jurisdiction of the Director of National Intelligence. There is no reason to commit taxpayer resources to an additional inspector general with competing jurisdiction over the same intelligence elements. Creating duplicative inspectors general, who may have inconsistent views on the handling of particular matters, has the potential to create conflicts and impede the Intelligence Community from efficiently resolving issues and carrying out its core mission. In addition, the creation of a new inspector general would add yet another position in the Intelligence Community subject to Senate confirmation, contrary to the 9/11 Commission’s recommendations.

Section 327 of the bill would harm our national security by requiring any element of the Intelligence Community to use only the interrogation methods authorized in the Army Field Manual on Interrogations. It is vitally important that the Central Intelligence Agency (CIA) be allowed to maintain a separate and classified interrogation program. The Army Field Manual is directed at guiding the actions of nearly three million active duty and reserve military personnel in connection with the detention of lawful combatants during the course of traditional armed conflicts, but terrorists often are trained specifically to resist techniques prescribed in publicly available military regulations such as the Manual. The CIA’s ability to conduct a

separate and specialized interrogation program for terrorists who possess the most critical information in the War on Terror has helped the United States prevent a number of attacks, including plots to fly passenger airplanes into the Library Tower in Los Angeles and into Heathrow Airport or buildings in downtown London. While details of the current CIA program are classified, the Attorney General has reviewed it and determined that it is lawful under existing domestic and international law, including Common Article 3 of the Geneva Conventions. I remain committed to an intelligence-gathering program that complies with our legal obligations and our basic values as a people. The United States opposes torture, and I remain committed to following international and domestic law regarding the humane treatment of people in its custody, including the “Detainee Treatment Act of 2005.”

My disagreement over section 327 is not over any particular interrogation technique; for instance, it is not over waterboarding, which is not part of the current CIA program. Rather, my concern is the need to maintain a separate CIA program that will shield from disclosure to al Qaeda and other terrorists the interrogation techniques they may face upon capture. In accordance with a clear purpose of the “Military Commissions Act of 2006,” my veto is intended to allow the continuation of a separate and classified CIA interrogation program that the Department of Justice has determined is lawful and that operates according to rules distinct from the more general rules applicable to the Department of Defense. While I will continue to work with the Congress on the implementation of laws passed in this area in recent years, I cannot sign into law a bill that would prevent me, and future Presidents, from authorizing the CIA to conduct a separate, lawful intelligence program, and from taking all lawful actions necessary to protect Americans from attack.

Other provisions of the bill purport to require the executive branch to submit information to the Congress that may be constitutionally protected from disclosure, including information the disclosure of which could impair foreign relations, the national security, the deliberative processes of the Executive, or the performance of the Executive’s constitutional duties. Section 326, for example, would require that the executive branch report, on a very short deadline and in accordance with a rigid set of specific statutory requirements, the details of highly classified interrogation techniques and the confidential legal advice concerning them. The executive branch voluntarily has provided much of this information to appropriate members of Congress, demonstrating that questions concerning access to such information are best addressed through the customary practices and arrangements between the executive and legislative branches on such matters, rather than through the enactment of legislation.

In addition, section 406 would require a consolidated inventory of Special Access Programs (SAPs) to be submitted to the Congress. Special Access Programs concern the most sensitive information maintained by the Government, and SAP materials are maintained separately precisely to avoid the existence of one document that can serve as a roadmap to our Nation’s most vital information. The executive branch must be permitted to present this information in a manner that does not jeopardize national security. The executive branch will continue to keep the Congress appropriately informed of the matters to which the provisions relate in accordance with the accommodation principles the Constitution contemplates and the executive and legislative branches have long and successfully used to address information sharing on matters of national security.

George W. Bush

The White House,
March 8, 2008.

**Memorandum on Unexpected
Urgent Refugee and Migration
Needs Related to Kenya**

March 7, 2008

Presidential Determination No. 2008-14

Memorandum for the Secretary of State

Subject: Unexpected Urgent Refugee and Migration Needs Related to Kenya

By the authority vested in me by the Constitution and the laws of the United States, including sections 2 and 4(a)(1) of the Migration and Refugee Assistance Act of 1962 (the "Act"), as amended (22 U.S.C. 2601 and 2603), and section 301 of title 3, United States Code:

(1) I hereby determine, pursuant to section 2(c)(1) of the Act, that it is important to the national interest to furnish assistance under the Act, in an amount not to exceed \$4.9 million from the United States Emergency Refugee and Migration Assistance Fund for the purpose of meeting unexpected and urgent refugee and migration needs, including by contributions to international, governmental, and nongovernmental organizations and payment of administrative expenses of the Bureau of Population, Refugees and Migration of the Department of State, related to humanitarian needs in Kenya and for Kenyan refugees in neighboring countries; and

(2) the functions of the President in relation to this memorandum under section 2(d) of the Act, and of establishing terms and conditions under section 2(c)(1) of the Act, are assigned to you, and you may further assign such functions to any of your subordinates, consistent with applicable law.

You are authorized and directed to publish this memorandum in the *Federal Register*.

George W. Bush

[Filed with the Office of the Federal Register, 8:45 a.m., March 12, 2008]

NOTE: This memorandum was released by the Office of the Press Secretary on March 10, and it was published in the *Federal Register* on March 13.

**Remarks Following Discussions With
Prime Minister Donald Tusk of
Poland and an Exchange With
Reporters**

March 10, 2008

President Bush. It's been my honor to welcome the Prime Minister of our very close ally and strategic partner, Poland. We'll both have opening statements, and then we'll take two questions a side.

I want to thank you for your candor, thank you for your friendship. The people of Poland stand as a great example of freedom and liberty. This is a nation with a proud history, a nation that has resisted tyranny and now lives as an example of a free society. And there are millions of Americans who are proud of their heritage, Mr. Prime Minister. They're proud to be called Polish Americans. And we welcome you.

I want to thank you for your nation's contributions to the liberation of people in Iraq and Afghanistan. Your troops have performed brilliantly, and they'll be coming home based upon success. And I thank your Government and I thank the people of Poland for the sacrifices. I also thank you to help the young democracy in Afghanistan survive and thrive and flourish. And someday, Mr. Prime Minister, people are going to say, Afghanistan did exactly the same thing that happened in Poland: The people realized the blessings of liberty, and out of those blessings flowed peace.

The Prime Minister and I had a long discussion about a lot of subjects. One in particular I want to talk about, and that is our mutual security. The United States recognizes the need for Polish—the forces to be modernized. It's important for our allies to—when they are worried about the modernization of their forces, that friends respond, and we're responding. The first part of a response, of course, is to take inventory of needs. And, Mr. Prime Minister, before my watch is over, we will have assessed those needs and come up with a modernization plan that's concrete and tangible.

And along those lines, we talked about the need for mutual security and that the significant threats of the 21st century—or perhaps the most significant is a launch of a missile